

TOWN OF NEWSTEAD - PLANNING BOARD MINUTES

March 15, 2004

PRESENT: Tom Cowan, Chair
Mark Decker
Don Hoefler
Rick Meahl
John Potera
Andy Kelkenberg
Christine Falkowski, Planning Board Clerk

The meeting was called to order by Tom Cowan at 7:30 PM.

NEW BUSINESS

Preapplication Conference – Outdoor Clam Stand at 11986 Main Road (The Dog House)

Relative to the moratorium on Route 5 commercial development, the Town Attorney was consulted, who advised that expansion of this existing business is excluded. John Stein leases this tavern from Patricia Pasinski. Larry Kopera attended the meeting, and he would like to open this seasonal (May 1 – September 1) clam stand on Mrs. Pasinski's property. Mr. Stein's lease would incorporate Mr. Kopera's use of the property. Clams, chowder and hot dogs would be sold out of a 24' x 8' used trailer parked 20' to the east of The Dog House near the concrete pad and steps to the building. This trailer would be closed up during the winter, or it could be moved. A few umbrella tables and chairs would be set up near the trailer. Power would come from The Dog House, and the bathroom would be used. The current number of parking spaces is unknown, but the overflow parking is handled by customers parking on the grassy area along Route 5 owned by NYSEG. Other concerns are: Health Dept. permit, septic, liquor consumption between the tavern and the clam stand. The Planning Board will treat this like an addition to the existing building and will require a site plan. The Board would rather see a pavilion than a trailer. Mr. Kopera was asked to come to the meeting on April 5th for further discussion.

OLD BUSINESS

▪ Route 5 /Overlay Zone/Moratorium on Used Auto Dealers/Design Criteria

Car Sales

Do we want no new car sales or tougher standards? Answer: tougher standards

Do we want no new car sales from Clarence Hollow to N. Millgrove? Answer: new dealerships only, but can sell new and used.

Do we want legitimate sales activity as a prerequisite? Answer: Yes, must have hours of operation.

Millgrove to South Newstead Road

The Planning Board supports:

- no car sales
- R-3 Zoning
- Commercial with a residential flavor (like Nicholas Perot & Straus building)
- Medium density residential *and professional*

Should more of the golf course area be zoned R-3 multi-family? John says no; it should be in the Clarence school district, not Akron.

John also feels that the more "upscale development" should be at Route 93 & Main; not at the Clarence border.

Can we regulate "big box" stores by size?

Escarpment vs. bike path as boundary for commercial zone vs. different zoning? John feels the escarpment should act as natural barrier. Andy offered that when towns are required to leave a percentage of greenspace, the escarpment may not be identified.

South Newstead to Jack Hayes

Hub of small businesses at Route 93 & Main? John says no; this should be big and professional. The Clarence end should be "big box" and Pembroke end should be industrial.

Zoning Overlay District

One "good" business will draw all types of businesses, and which type cannot be controlled. The Board supports no flat roofs.

OLD BUSINESS (Con't)

▪ **Minutes Review**

Mark motioned to approve the minutes of February 23, 2004, seconded by Andy and all approved.

- **Zoning Report** – none for this week. Tom asked about Mr. Edwards' cars on Cummings Road. The cars have been moved, and he is in compliance.

- **Town Wide Drainage** – There is a Committee meeting on March 30th. Who is on the Committee, and should the Planning Board participate?

- **Flaglots** – Ordinances were distributed from the Towns of Amenia, Dobbs Ferry and Clarkson. We need the Clarence ordinance, and flaglots will be discussed at the April 5th meeting.

▪ **Review site plans for used car lot special permit renewals before May 1, 2004**

The following permittees will attend the next meeting on March 22, 2004:

George Hauer (11372 Main Road) will be asked to conform to site plan. Christine will re-distribute minutes from the meeting where this was approved.

Richard Belotta (13722 Main Road) will be asked to put a site plan on paper.

John motioned to adjourn the meeting at 9:30 PM, seconded by Tom and all approved.

Respectfully submitted,
Christine Falkowski, Recording Secretary